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Attorneys for Defendant AGNES KANTERE

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ANDREW NARRAWAY *et al.*,

Plaintiffs,

v.

JAMES D. McCONVILLE *et al.*,

Defendants.

Case No. 3:10-cv-02648 VRW

STIPULATION AND ~~PROPOSED~~ ORDER  
RE: EXTENSION OF TIME FOR  
DEFENDANT KANTERE TO RESPOND TO  
THE COMPLAINT

Action Filed: April 30, 2010  
Judge: The Honorable Vaughn R. Walker  
Trial Date: None Set

**RECITALS**

1. Plaintiffs Andrew Narraway, Stephen Granat, Diane Granat, John Lundy, Nancy Lundy, John F. Lundy and Nancy A.M. Lundy as Trustees of the 2001 Lundy Family Trust, Gregory Righetti, Christina Righetti, Edward Schreiber, Angela Schreiber, Keith McVane, Frances Greenspan, and MCapital Funding, LLC, a California limited liability company (collectively "PLAINTIFFS") filed the above captioned action on April 30, 2010 alleging claims against multiple defendants, including AGNES KANTERE, for 1) Financial Elder Abuse; 2) Constructive Fraud; 3) Fraud (Fraud in the Inducement, Misrepresentation & Concealment); 4) Aiding and Abetting; 5) Acquisition and Control of

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STIPULATION AND ~~PROPOSED~~ ORDER RE: EXTENSION OF TIME FOR DEFENDANT  
KANTERE TO RESPOND TO THE COMPLAINT– Case No. 3:10-cv-02648 VRW

1 Racketeering Enterprise; 6) Conspiracy to Conduct and Participate in Racketeering  
2 Enterprise and 7) Negligence.

- 3 2. The case was originally brought in the Superior Court of the State of California, County  
4 of Alameda.
- 5 3. On June 16, 2010, the case was removed to the United States District Court for the  
6 Northern District of California, San Francisco Division.
- 7 4. Defendant AGNES KANTERE was not served with the Complaint until August 31, 2010.  
8 At that time she was served by United States mail.
- 9 5. Defendant AGNES KANTERE has not yet responded to the Complaint.
- 10 6. On July 26, 2010 Defendants Chicago Title Company and on June 23, 2010 Stewart Title  
11 of California filed a Motion to Dismiss for the Failure to State a Claim under Federal Rule  
12 of Civil Procedure 12(b)(6) for various claims in this action. The Motions were originally  
13 scheduled to be heard by the Court on October 7, 2010, however on September 13, 2010  
14 the Court vacated the motion hearing date for the motions. It is anticipated that the Court  
15 will hear the Motions on December 16, 2010.
- 16 7. On September 9, 2010, PLAINTIFFS filed Plaintiffs' Motion to Amend Complaint to  
17 Substitute Named Person for Doe Defendant and to Allege Newly Discovered Facts. The  
18 Motion is scheduled to be heard by the Court on December 16, 2010 at 10:00am

19  
20 **JOINT STIPULATION**

21 IT IS HEREBY STIPULATED by and between the PLAINTIFFS and Defendant AGNES  
22 KANTERE that:

- 23 1. PLAINTIFFS have granted an extension of time by which Defendant AGNES KANTERE  
24 shall file a responsive pleading to Plaintiffs' Complaint or Plaintiffs' First Amended  
25 Complaint (if the Court grants Plaintiffs' Motion to Amend the Complaint), until the later  
26 of 21 days after the Court enters a decision on: a) Plaintiffs' Motion to Amend Complaint  
27 to Substitute Named Person for Doe Defendant and to Allege Newly Discovered Facts; b)

Defendant Chicago Title's Motion to Dismiss for the Failure to State a Claim under Federal Rule of Civil Procedure 12(b)(6); or c) Stewart Title's Motion to Dismiss for the Failure to State a Claim under Federal Rule of Civil Procedure 12(b)(6).

Dated: September 15, 2010

By: Andrea C. Cianfrani  
ANDREA C. CIANFRANI, Attorney for Defendant  
AGNES KANTERE

Dated: September 15, 2010

By: Kyle Van Dyke  
KYLE VAN DYKE, Attorney for PLAINTIFFS

IT IS SO ORDERED:

Dated: 9/16/2010

By: Vaughn R Walker  
The Honorable Judge Vaughn R Walker

